United Nations A/59/PV.81

General Assembly
Fifty-ninth session

Official Records

81st plenary meeting
Tuesday, 15 February 2005, 10 a.m.
New York

President: Mr. Ping ..... (Gabon)

The meeting was called to order at 10.20 a.m.

Tribute to the memory of His Excellency Mr. Gnassingbé Eyadema, President of the Togolese Republic

Tribute to the memory of His Excellency Mr. Zurab Zhvania, Prime Minister of Georgia

Tribute to the memory of His Excellency Mr. Sami Kronfol, Permanent Representative of Lebanon

The President (*spoke in French*): This morning, it is our sad duty to pay tribute to the memory of the late President of the Togolese Republic, His Excellency Mr. Gnassingbé Eyadema, who passed away on Saturday, 5 February 2005.

On behalf of the General Assembly, I request the representative of Togo to convey our condolences to the Government and the people of the Togolese Republic and to the bereaved family of His Excellency Mr. Gnassingbé Eyadema.

I express my personal hope that that country, where the present situation is of concern, will again enjoy peace and calm within the framework of its own constitutional laws.

It is our sad duty also to pay tribute to the memory of the late Prime Minister of Georgia, His Excellency Mr. Zurab Zhvania, who passed away on Thursday, 3 February 2005.

On behalf of the General Assembly, I request the representative of Georgia to convey our condolences to the Government and the people of Georgia and to the bereaved family of His Excellency Mr. Zurab Zhvania.

Further, it is our sad duty to pay tribute to the memory of the late Permanent Representative of Lebanon, His Excellency Mr. Sami Kronfol, who passed away on Tuesday, 1 February 2005.

On behalf of the General Assembly, I request the representative of Lebanon to convey our condolences to the Government and the people of Lebanon and to the bereaved family of His Excellency Mr. Sami Kronfol. As members know, Lebanon has also just violently lost former Prime Minister Rafik Hariri.

I invite representatives to stand and observe a minute of silence in tribute to the memory of His Excellency Mr. Gnassingbé Eyadema, His Excellency Mr. Zurab Zhvania and His Excellency Mr. Sami Kronfol.

The members of the General Assembly observed a minute of silent prayer or meditation.

The President (*spoke in French*): I call now on the representative of Kenya, who will speak on behalf of the Group of African States.

Ms. Bahemuka (Kenya): I wish on behalf of the Group of African States to express our profound sadness following the death of the President of the Togolese Republic, His Excellency Mr. Gnassingbé Eyadema, on 5 February 2005. Allow me, on behalf of

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the Group, to convey our heartfelt condolences to the members of his family, to the people of Togo and to the friends of Togo on this immense loss. We share in their pain; we share in their sorrow.

President Eyadema will be greatly missed, not only by the people of Togo but also by those of the West African region and of the entire African continent. I pay tribute to his commitment to peace and stability in Togo, and especially to his very active role in conflict resolution in West Africa.

In memory of the late President Eyadema, the African Group appeals to the authorities in Togo to respect the legislation on succession in conformity with the constitution and to return the country to constitutional rule, in the interest of the Togolese people. We urge the people of Togo to exercise restraint and to organize elections without further delay. The African Group is convinced that the salvation of the country lies in respect for the constitution, the rule of law and free and fair elections.

I also take this opportunity to express the African Group's condolences following the accidental death of the Prime Minister of Georgia, His Excellency Mr. Zurab Zhvania. The late Prime Minister's death has robbed Georgia of a visionary leader who was the driving force behind the economic reforms which are under way in that country. I pay special tribute to his leadership and to his commitment to his people and to his country. We join the people of Georgia in mourning his death. He will be sorely missed by the people of Georgia.

The African Group expresses shock and dismay following the assassination of the former Lebanese Prime Minister, Mr. Rafik Hariri. We condemn the perpetrators of that heinous act. The assassination of that great man puts at risk the peace and stability that Lebanon has enjoyed for the past 15 years. We pay tribute to Mr. Hariri for his dedication, for his commitment and for his leadership role in that country's reconstruction in the 1990s.

Finally, I would like personally to pay tribute to a great friend and a dear colleague, the late Ambassador Sami Kronfol. Not only was he a great ambassador and a man of charisma and character, but he touched the lives of many in one way or another.

In tribute to the three men who have left us, we commit and rededicate ourselves to follow the good they have done. With respect to what has not been done, we look forward to all of us walking hand in hand to achieve their dreams.

The President (*spoke in French*): I now call on the representative of Bahrain, who will speak on behalf of the Group of Asian States.

Mr. Almansoor (Bahrain) (*spoke in Arabic*): On behalf of the Group of Asian States, which I have the honour to chair this month, I would like to convey our most heartfelt condolences to the family and to the people on the much lamented death of the President of the Togolese Republic, Gnassingbé Eyadema, who passed away on 5 February 2005.

The death of President Eyadema is a great loss for the States of West Africa and the African continent. He was one of the oldest rulers of Africa, having led Togo since 1967. During his tenure he worked to promote Togo's relations with other African States and the rest of the world and spared no effort to serve his country and to strengthen its position among African nations. He devoted his efforts to strengthening relations with members of the international community. We sincerely hope that the Togolese will take every measure possible to preserve stability and security within their country. We call upon all parties in the country to continue the policy of dialogue and responsibility to promote the values of peace and solidarity among themselves.

I also have the honour to convey, on behalf of the Asian Group, my deepest condolences to the Government and people of Georgia on the sad and sudden death of Prime Minister Zurab Zhvania, who was only 41 years old. The sudden passing of the Prime Minister has caused all of us a deep sense of grief and sadness. Mr. Zhvania worked tirelessly for the progress of his country through the adoption of economic reforms to promote the role of Georgia and to strengthen its relations with the international community. Within a short period of flexible administration of Georgia's economy he managed to expand his country's relations with international financial institutions. The loss of Mr. Zhvania is a great loss for Georgia and the rest of the world.

I also wish to express the Asian Group's condolences to the family of the former Prime Minister of Lebanon, Mr. Rafik Hariri, and to the Government and people of Lebanon in this great loss, which has shocked us all. Prime Minister Hariri tried hard to

reconstruct modern Lebanon. He was a great nationalist and a good example to be followed. He was a formidable politician and a moderate politician, a friend of all. It is a great loss for Lebanon, the Arab nation and the whole world. May God bless his soul.

I also have the honour to convey, on behalf of the Asian Group, our deepest condolences on the passing of brother Ambassador Sami Kronfol, Permanent Representative of Lebanon to the United Nations, to the Government and people of Lebanon and to our brothers in the Permanent Mission of Lebanon to the United Nations on his much lamented death. We were all touched by his sudden passing away. He was a good friend to all of us. In the course of his work in the United Nations he forged many friendships. He was a brilliant diplomat, dedicated and talented, who served his country and its causes with the utmost dedication. The United Nations family has lost one of its most cherished diplomats, who will always be remembered for his friendly company. May the soul of Mr. Kronfol rest in peace.

The President (*spoke in French*): I now call on Mrs. Irena Zubčević, representative of Croatia, who will speak on behalf of the Group of Eastern European States.

Mrs. Zubčević (Croatia): On behalf of the Group of Eastern European States it is my solemn duty to express sincere sympathy upon the sad passing of the President of Togo, His Excellency Mr. Gnassingbé Eyadema; the Prime Minister of Georgia, His Excellency Mr. Zurab Zhvania; and the Permanent Representative of Lebanon to the United Nations, His Excellency Mr. Sami Kronfol.

With the sad demise of the President of Togo, Mr. Eyadema, Africa has lost its longest-ruling leader. We express our condolences to the Government and people of Togo, as well as to his family.

As a true Georgian patriot Mr. Zhvania was instrumental in enhancing the democratic development and progress of the Georgian people, and he dedicated his life to this cause. His legacy will remain a beacon for all people of good will.

Ambassador Kronfol was an experienced diplomat with extensive knowledge of multilateral and Arab affairs. His presence will be sorely missed by his colleagues in the United Nations.

On behalf of the Group of Eastern European States I respectfully request that sincere condolences be conveyed to the Governments and people of Georgia and of Lebanon, and also to the members of the bereaved families in this time of loss.

We also wish to extend our condolences to the family of the former Prime Minister of Lebanon, His Excellency Mr. Rafik Hariri.

The President (*spoke in French*): I now give the floor to the representative of Paraguay, to speak on behalf of the Group of Latin American and Caribbean States.

Mr. Loizaga (Paraguay) (*spoke in Spanish*): On behalf of the Group of Latin American and Caribbean States, over which I have the honour to preside, may I express our sincerest condolences at the recent passing of the President of Togo, Mr. Gnassingbé Eyadema, and the Prime Minister of Georgia, Mr. Zurab Zhvania, and to the people of Togo and Georgia. Our condolences go also to their respective families, who in recent weeks suffered those tragic losses. We would like to pay a just tribute to these distinguished public figures, who gave their all to their respective countries.

On this day we also recall our former colleague, the Permanent Representative of Lebanon, Ambassador Sami Kronfol, who passed away recently. During his tenure, Ambassador Kronfol won the friendship, respect and admiration of his colleagues, representing his country and his Government effectively and with dedication and a sense of responsibility.

On behalf of our regional group, I extend our heartfelt condolences to the people and the Government of Lebanon, to the bereaved family and to the members of the Permanent Mission of Lebanon.

We would also like, on behalf of the Group of Latin American and Caribbean States, to express our condolences to the bereaved family and to the people of Lebanon on the brutal assassination of the former Prime Minister of Lebanon, Mr. Rafik Hariri, and other civilians, victims of the irrational conduct of people who can only express themselves through violence. It is our hope that peace and harmony will very soon return to the people of Lebanon so that they can address the tragedy that has struck them once again.

The President (*spoke in French*): I now give the floor to the representative of the United Kingdom of Great Britain and Northern Ireland, who will speak on

behalf of the Group of Western European and other States.

Mr. Thomson (United Kingdom): There are numerous deaths to mourn today. As you have noted, Mr. President, Lebanon has lost its former Prime Minister.

I speak on behalf of the Group of Western European and other States in expressing our concern at the death of President Eyadema of Togo. We extend our condolences to the family of President Eyadema and to the Togolese people.

All of us in the Group of Western European and other States were shocked at the news of the sudden death of the Prime Minister of Georgia, Mr. Zurab Zhvania. Our Group extends its condolences to the family of Mr. Zhvania and to the Georgian people, for whom his death is a terrible loss.

I would also like to extend the group's condolences following the passing of His Excellency Mr. Sami Kronfol, Permanent Representative of Lebanon, to the Lebanese Mission to the United Nations and to the family of Mr. Kronfol. The United Nations diplomatic community will sorely miss him.

The President (*spoke in French*): I now give the floor to the representative of the Syrian Arab Republic, who will speak on behalf of the Group of Arab States.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): It is my honour to address the General Assembly today on behalf of the Arab States members of the League of Arab States, and as Chairman of the Arab Group for the month of February.

It is my sad duty to convey to the Government and the people of Togo our most sincere condolences on the death of their leader, Mr. Gnassingbé Eyadema. The late President was one of the eminent world leaders who devote their lives to their people and to the achievement of the objectives of development and progress.

President Eyadema was one of the African leaders who made every effort to bring peace and progress to Africa and to develop relations between the countries of Africa and the entire world. We are convinced that the people of Togo will overcome this painful loss and continue the construction and development of Togo and that they will strengthen their role at the regional and international levels.

The death, in his prime, of the Prime Minister of Georgia was a huge loss to his people and to the international community. His death has left us with great sadness, as he worked tirelessly for the progress of his people and towards consolidating relations with the international community. In addition, he was able to strengthen the economic situation in Georgia. We express our profound condolences to his family and to the people of Georgia.

Lebanon has suffered a huge loss. A few days ago, terrorism, carried out by criminals, killed one of the symbols and leaders of Lebanon, former Prime Minister Rafik Hariri. His cruel death is not only a loss for Lebanon, but also a huge loss for all Arab countries. His policies were aimed at consolidating relations between Lebanon and the other members of the Arab Group. That was among the essential causes to which he devoted his efforts throughout a life marked by great accomplishments, including ending the civil war in Lebanon and rebuilding the country. We shall all feel the loss, in particular, my country, which loved him and which had strong ties of cooperation with him. On behalf of the Arab Group, I express our most sincere condolences to Lebanon and its fraternal people, as well as to Mr. Hariri's family. We hope that our brethren in Lebanon will continue the progress for which he worked.

On behalf of the Arab Group, we also express our condolences upon the loss of the Permanent Representative of Lebanon, Mr. Sami Kronfol. We have all worked with Ambassador Kronfol, who represented his country in an outstanding manner and who defended its cause in the United Nations and elsewhere. We could all sense his profound commitment and the sincerity of his efforts in all his activities. His time at the United Nations was brief, but he left a profound imprint reflecting the capabilities of Lebanese diplomacy. He always defended his country, his region and the world. With the passing of Mr. Kronfol, our loss is enormous. We have lost his outstanding professional capacities. He was highly intellectual, and was an expert in history, philosophy and science. I wish everyone could have had the opportunity to know this man, and to know his heart and its riches. We express our sincere condolences to the Permanent Mission of Lebanon to the United Nations, to the Government of Lebanon and, above all, to Ambassador Kronfol's family. May God have mercy upon him.

The President (*spoke in French*): I now give the floor to the representative of Togo.

Mr. Menan (Togo) (*spoke in French*): It is with profound grief and great sorrow that we speak on behalf of the Government and the people of Togo during the General Assembly's tribute to the memory of President Gnassingbé Eyadema of Togo, Prime Minister Zurab Zhvania of Georgia and Ambassador Sami Kronfol of Lebanon, all of whom have left us.

First of all, we wish to express our heartfelt thanks to the President of the General Assembly, to the Secretary-General and to all Member States for their sincere expressions of condolence and their sympathy upon the cruel loss that struck the Togolese people with the passing of President Eyadema on 5 February 2005. Togo greatly appreciates the compassion shown by the international community.

As we all know, President Eyadema devoted his whole life to working tirelessly and relentlessly in the quest for peace, security and sustainable development. His many notable contributions to the restoration and promotion of peace wherever it was in danger — particularly in Africa — are well known. They proceeded from the late President's unfailing commitment to dialogue and consultation, which alone make it possible to resolve disputes — whatever they may be — in a sustainable manner.

A great architect of peace and dialogue, President Eyadema was also a fervent promoter of development: the best way to lift the peoples of our countries out of misery and poverty. Thus, he was at the forefront of the creation, in 1975, of the Economic Community of West African States, which — as the Assembly is aware — has set about in a remarkable way to resolve the crises and conflicts that unfortunately continue to shake the subregion.

In that context, President Eyadema appealed to the international community, at the Millennium Summit, held here in September 2000, to devote sustained attention to African States so that they could have the opportunity to make significant progress in the new global economy. Today, the initiatives that are materializing for the African continent — particularly the British initiative of a "Marshall Plan" for Africa; the establishment of an African peace force, which was proposed at the summit of the Organization of African Unity held in Tunis in 1994; and many others — can only serve to confirm the wisdom of the late President's views.

In conclusion, we should like to express once again our most heartfelt condolences and deep sympathy to the Governments and the peoples of Georgia and Lebanon, who, like Togo, have lost one of their illustrious sons. We also wish to pay tribute to the memory of the former Prime Minister of Lebanon, His Excellency Mr. Rafik Harıri, who was tragically assassinated yesterday.

May the eminent personalities whose memories we honour today rest in peace.

The President (*spoke in French*): I give the floor to the representative of Georgia.

Mr. Kaladze (Georgia): On behalf of the Government of Georgia, I should like to join previous speakers in expressing our sincere sympathy upon the sad passing of His Excellency Mr. Gnassingbé Eyadema, President of Togo, and of His Excellency Mr. Sami Kronfol, Permanent Representative of Lebanon to the United Nations, and upon the shocking assassination of His Excellency Mr. Rafik Hariri, former Prime Minister of Lebanon. The sorrow of the peoples of Togo and Lebanon is very close to the hearts of the Georgian people today, and we fully share their grief.

Let me also express, on behalf of the Government and the people of Georgia, sincere gratitude for the condolences and sympathy offered in connection with the tragic death of His Excellency Mr. Zurab Zhvania, Prime Minister of Georgia. Mr. Zhvania was not just a Prime Minister, but also a highly capable and important politician who had contributed immensely to the democratic development of my country for more than a decade, since its recent independence. He was truly an architect of modern-day Georgia. Even more, his leadership and vision made all friends of Georgia hopeful for the country's future as a democratic and prosperous nation.

The loss of Mr. Zhvania is irreparable for Georgia; a leader of such calibre does not emerge every day. Nevertheless, we are determined to continue on the path outlined in his vision for a democratic Georgia in order to make Mr. Zhvania's ideals a reality. That will be the best possible tribute to the memory of an outstanding statesman.

The President (*spoke in French*): I give the floor to the representative of Lebanon.

Mr. Assaf (Lebanon) (*spoke in Arabic*): In Lebanon today, we seem to be in a constant state of sorrow: we have lost the former Prime Minister of our country, Mr. Rafik Hariri, who was tragically assassinated yesterday. Lebanon, the Arab nation and the entire world have lost a man who had a great future. In an interview broadcast on CNN yesterday, we heard him say he was a young man of only 60.

I should like to express my thanks and appreciation to the General Assembly for the expressions of solidarity and condolence following the death of Ambassador Sami Kronfol, Permanent Representative of Lebanon. I should also like to thank all those who have come to the Permanent Mission of Lebanon to sign the book of condolences, led by Mr. Jean Ping, President of the General Assembly, and Secretary-General Kofi Annan.

On this occasion, an old saying comes to mind: "Health is the crown on the heads of the healthy that is seen only by the sick". Although we would all like to enjoy good health, we cannot fail to support the specialized agencies of the United Nations — particularly the World Health Organization — which have tirelessly sought remedies for the incurable diseases that continue to kill human beings, depriving them of their potential.

Agenda item 113 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations (A/59/668/Add.1 to Add.6)

The President (*spoke in French*): Next, I would like to invite the attention of the General Assembly to documents A/59/668/Add.1 to Add.6, in which the Secretary-General informs the President of the General Assembly that, since the issuance of his communication contained in document A/59/668, Benin, the Congo, Paraguay, Suriname, Ukraine and Uruguay have made the necessary payments to reduce their arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of the information contained in those documents?

It was so decided.

Agenda item 15 (*continued*)

Elections to fill vacancies in principal organs

(c) Election of a member of the International Court of Justice

Note by the Secretary-General (A/59/682)

Memorandum by the Secretary-General (A/59/683)

Curriculum vitae (A/59/684)

The President (*spoke in French*): The General Assembly will proceed to the election of a member of the International Court of Justice for the unexpired term of office of Judge and former President Gilbert Guillaume, whose resignation took effect on 11 February 2005.

In connection with this election, I should like to bring the following matters to the attention of the members of the General Assembly. I should like to confirm that, at this time, the Security Council, independently of the General Assembly, is also proceeding to elect one member of the Court. This procedure is in accordance with Article 8 of the Statute of the Court, which provides that

> "The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court".

Accordingly, the results of the voting in the General Assembly will not be communicated to the Security Council until one candidate has obtained the required majority in the Assembly.

I should also like to draw the attention of the Assembly to the documents relating to the election. Document A/59/683 contains a memorandum by the Secretary-General on the present composition of the Court and the procedure to be followed in the General Assembly and in the Security Council with regard to the election. Document A/59/682 contains the name of the candidate nominated by national groups within the required time for submission, that is, by 17 January 2005. I should like to inform the General Assembly that, after the deadline, the Secretariat received nominations from the national groups of Germany,

Honduras, Italy, Poland, Romania, Switzerland and Uruguay, also submitting the candidacy of Mr. Ronny Abraham. Document A/59/684 contains the curriculum vitae of the candidate nominated by national groups.

In accordance with Article 10, paragraph 1, of the Statute of the Court, the candidate who obtains an absolute majority of votes both in the General Assembly and in the Security Council shall be considered as elected.

The consistent practice of the United Nations has been to interpret the words "absolute majority" as meaning a majority of all electors whether or not they vote or are allowed to vote. The electors in the General Assembly are all 191 Member States. Accordingly, for the present election, 96 votes constitute an absolute majority in the General Assembly.

The General Assembly will now proceed to a secret ballot. If in the first ballot no candidate obtains an absolute majority, it will be necessary to proceed to further ballots until a candidate has obtained the required majority. Pursuant to the decision taken by the General Assembly at its 915th meeting, held on 16 November 1960, those ballots shall be unrestricted.

May I take it that the Assembly agrees to the procedures I have just outlined?

It was so decided.

The President (*spoke in French*): I should like to remind representatives that, pursuant to rule 88 of the rules of procedure,

> "After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting".

We shall now begin the voting process. Ballot papers will now be distributed.

Representatives are requested to use only the ballot papers that are now being distributed and to place a cross to the left of the name of the candidate for whom they wish to vote. Votes may be cast only for the candidate whose name appears on the ballot papers.

At the invitation of the President, Ms. Dissing (Denmark), Ms. Abraitienė (Lithuania), Mr. Solórzano (Nicaragua), Mr. Isong (Nigeria) and Mr. Kim Kiejoo (Republic of Korea) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.20 a.m. and resumed at 12.05 p.m.

The President (*spoke in French*): The result of the voting is as follows:

Number of ballot papers:	157
Number of invalid ballots:	0
Number of valid ballots:	157
Abstentions:	3
Number of members voting:	154
Required absolute majority:	96
Number of votes obtained:	
Mr. Ronny Abraham (France)	154

Mr. Ronny Abraham has obtained an absolute majority in the General Assembly.

I have communicated the result of the voting to the President of the Security Council.

I have received a letter from the President of the Security Council. It reads as follows.

> "I have the honour to inform you that at the 5121st meeting of the Security Council, held on 15 February 2005 for the purpose of electing a member of the International Court of Justice to a term of office to expire on 5 February 2009, Mr. Ronny Abraham has obtained an absolute majority of votes."

As a result of the independent voting in the Security Council and in the General Assembly, Mr. Ronny Abraham has obtained an absolute majority in both bodies. He is therefore duly elected a member of the International Court of Justice to serve for a term commencing today, 15 February 2005, and ending on 5 February 2009. I would like to take this opportunity to extend to him the Assembly's congratulations on his election, as well as to thank the tellers for their assistance.

We have thus concluded this stage of our consideration of sub-item (c) of agenda item 15.

Agenda item 17 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(h) Appointment of members of the Joint Inspection Unit

Note by the Secretary-General (A/59/108/Add.1)

The President (*spoke in French*): As indicated in document A/59/108/Add.1, as a result of the resignation of Mr. Christopher Thomas (Trinidad and Tobago), the General Assembly is required, during the fifty-ninth session, to appoint a member to fill the vacancy in the Joint Inspection Unit for a period expiring on 31 December 2008.

As also indicated in document A/59/108/Add.1, in accordance with article 3, paragraph 1, of the statute of the Joint Inspection Unit, the President of the General Assembly shall consult with Member States to draw up a list of countries — in this case, one country — which would be requested to propose a candidate for appointment to the Joint Inspection Unit.

After holding the necessary consultations, I should like to communicate to the Assembly the information received from the Chairman of the Group of Latin American and Caribbean States that that Group has endorsed Peru to propose a candidate for the vacancy from among the Latin American and Caribbean States. In accordance with article 3, paragraph 1, of the statute of the Joint Inspection Unit, Peru will therefore be requested to submit the name of a candidate and the curriculum vitae highlighting the candidate's relevant qualifications for the task ahead.

After holding the appropriate consultations described in article 3, paragraph 2, of the statute of the Joint Inspection Unit, including consultations with the President of the Economic and Social Council and with the Secretary-General in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, I will propose a qualified candidate to the Assembly for appointment to the Joint Inspection Unit for a period expiring on 31 December 2008.

We have thus concluded this stage of our consideration of sub-item (h) of agenda item 17.

Programme of work

I would like to inform members that there is a request by some interested delegations that action on draft resolution A/59/L.16 be postponed. The Assembly will therefore take up sub-item (g) of agenda item 56 at a later date.

The meeting rose at 12.15 p.m.